

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ni et al.

Attorney Docket No.: PF199D2

Application Serial No.: Unassigned

Art Unit: Unassigned

Filed: Herewith

Examiner: Unassigned

Title: Natural Killer Cell Enhancing Factor C

J1000 U.S. PTO
09/911346
07/24/01

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-AR listed on the attached Form PTO/SB/08.

Copies of references AA-AL were submitted by Applicants or cited by the Examiner in connection with United States Patent Application Serial No. 08/467,265, filed June 6, 1995, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of United States Patent Application Serial No. 08/467,265 for copies of references AA-AL.

Copies of references AM-AR were submitted by Applicants or cited by the Examiner in connection with United States Patent Application Serial No. 09/407,891, filed September 29, 1999, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the file of United States Patent Application Serial No. 09/407,891 for copies of references AM-AR.

Applicants also wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding clone(s) of the captioned application are related to: (1) SEQ ID NO:670 in copending U.S. Patent Application No. 08/196,482; (2) SEQ ID NO:1295 in copending U.S. Patent Application No. 08/196,481; (3) SEQ ID NO:1299 in copending U.S. Patent Application No. 08/196,481; (4) SEQ ID NO:5236 in copending U.S. Patent

Application No. 08/196,363; and (5) SEQ ID NO:591 in copending U.S. Patent Application No. 08/196,482.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), since this Information Disclosure Statement is being filed within three months of (i.e., concurrently with) the filing of the instant application, no fee is believed due in connection herewith. However, should the Patent Office determine otherwise, please charge any required fee to Human Genome Sciences, Inc., Deposit Account No. 08-3425.

Respectfully submitted,

Date: July 24, 2001


Jonathan L. Klein (Reg. No. 41,119)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Phone: (301) 251-6015

JLK/CCB/ba